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July 24, 2024

Via U.S. Mail and ECF:

The Honorable Timothy M. Cain
Chief U.S. District Judge
315 South McDuffie Street, 1st Floor
Anderson, SC 29624

RE: *Sherwood v. Rollins, Smith, & Spartanburg County School District One*
Case No.: 7:24-cv-3257-TMC
Our File No.: 00361-001

Dear Judge Cain,

The above-identified action was filed on May 30, 2024, as a Verified Complaint. A Motion for Preliminary Injunction was filed on June 12, 2024, and amended on June 13. All three Defendants were served on June 19, 2024 (ECFN-010, 011, and 012), with the Summons and Verified Complaint (ECFN-001), as well as the Amended Motion for Preliminary Injunction. (ECFN-007, 022, 023, and 024). All three Defendants filed responsive pleadings on July 10, 2024, as follows: (i) Motion to Dismiss all 8 claims as against Defendants Mark Smith and Mark Rollins (ECFN-013), (ii) Partial Motion to Dismiss by Defendant Spartanburg County School District One (“SCSD1”) (ECFN-014, seeking dismissal of only the S.C. FOIA related claims 6, 7 and 8), and (iii) Partial Answer to Verified Complaint by SCSD1 (ECFN-016, responding only to constitutional related claims 1-5). Plaintiff recently filed a motion to dismiss the SCSD1’s counterclaims. (ECFN-021).

In the text order at ECFN-019, with reference to the pending “amended motion for preliminary and permanent injunctive relief (ECF No. 7),” the Court requested counsel to provide dates for protection for the months of August through October by July 18, 2024. I have filed a notice as counsel for Plaintiff (ECFN-25); after conferring with counsel for Defendants, they have advised that no dates of protection are needed.

Defendants have not yet filed any response to the Amended Motion for Preliminary Injunction (ECFN-007) based upon some service discrepancies. After conferring with Defendants’ counsel, we have agreed that Defendants will file a response to the injunctive relief motion on or before July 30, 2024, after which Plaintiff will have an opportunity to reply. That motion will then be ready to be heard. As there were no scheduled SCSD1 meetings in July, there was no practical need to have the injunctive relief motion heard this month. According to the SCSD1 web-site, the next scheduled Board Meeting is on August 12, 2024.

The parties are in agreement that while the Amended Motion for Preliminary Injunction necessitates a hearing, the remaining motions to dismiss can likely be decided on the briefs. This extension would allow the injunctive relief to be fully briefed, heard, and *possibly* ruled upon prior to the remaining motions as that ruling is expected to streamline the other matters.

As to the remaining motions, the parties are in agreement to extend all responses in opposition, respectively, to on or before August 23, 2024, with any replies to be filed in due course under Local Rule 7.07, D.S.C. We would respectfully request this August 23, 2024 deadline be entered by text order, however, if a motion to extend these dates beyond what is provided for by Local Rule 12.01, D.S.C. (i.e., “the number of days within which the response was originally due”), the parties will prepare and file a motion to extend those dates.

Please let us know if the Court has any questions or needs any further information from counsel related to this matter.

With warm regards, I remain

Sincerely Yours,



Wesley D. Few

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CC: Ryan K. Hicks, Esq. (*via email only*)
Ashley C. Story, Esq. (*via email only*)